

DOC 1

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0001**Date of Document:** April 8, 2005**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** From DOJ/OLC to CIA/OGC**Subject:** Draft legal opinions**Document Pages:** 59**FOIA Exemptions:**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This 59-page document consists of a fax cover sheet, a cover sheet indicating the classification of the attached documents, and two classified draft legal opinions from the Department of Justice Office of Legal Counsel to the CIA Acting General Counsel. The legal opinions provide legal analysis and advice at the request of, and based on facts provided by, the CIA. The document is dated April 8, 2005 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

The document is also exempt pursuant to exemption (b)(5). The draft opinion consists of confidential legal advice and analysis provided to the CIA by DOJ OLC, and was based upon facts provided by the CIA. The document is therefore withheld pursuant to the attorney-client communication privilege. In addition, the legal opinions were prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld in full pursuant to the attorney work-product privilege. Finally, the legal opinions are marked "DRAFT" and therefore contain preliminary impressions, analysis, and recommendations as to what the final product should be. Moreover, because the OLC legal opinion was requested and prepared in the course of internal governmental deliberations, and for the purpose of providing advice to decisionmakers with respect to a particular policy issue, the

document is also properly withheld in full pursuant to the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number : 07-cv-5435
Judge's Initials : LAP

DOC 2**Amnesty International v. CIA, et al.****FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC/MR 0003**Date of Document:** February 22, 2005**Document Type:** MFR**Classification:** SCI, Secret**From/To:** Prepared by an Agency officer**Subject:** Memorandum for the Record concerning a particular detainee**Document Pages:** 7**FOIA Exemptions :**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☐ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions :

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition :

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description : This seven-page document is a classified Memorandum for the Record regarding the CIA's detention of a particular individual. The document is dated February 22, 2005, and bears the classification SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1) and (b)(3). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as information regarding the foreign relations and foreign activities of the United States government, whose disclosure reasonably could be expected to cause serious damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and other titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v . CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0005**Date of Document:** August 11, 2005**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** Prepared by the ODNI**Subject:** Policy Approval**Document Pages:** 7**FOIA Exemptions :**

- ☒ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions :

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition :

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description : This seven-page document consists of a one-page routing sheet, a one-page memorandum for the record dated August 11, 2005, a one-page memorandum dated August 12, 2005 from the Principal Deputy Director for National Intelligence to an assistant to the President, and a four-page memorandum dated August 6, 2005 from the Office of the Director of National Intelligence to two assistants to the President. The document bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1) and (b)(3). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

In addition, the four-page memorandum considers options and recommendations by the CIA. The document is therefore also properly withheld in full pursuant to the deliberative process privilege.

This document reflects information or recommendations authored or solicited and received by the President's senior advisors in connection with a decision, or potential decision, to be made by the President. The document is therefore properly withheld in full pursuant to the presidential communications privilege.

Finally, the routing sheet contained within the document is withheld in full pursuant to exemption (b)(2)

and (b)(3), as it was created solely pursuant to internal CIA administrative practices and consisting of administrative and organizational information.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials : LAP

Amnesty International v . CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0007**Date of Document:** August 6, 2005**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** From the ODNI to two assistants to the President**Subject:** Policy approval**Document Pages:** 4**FOIA Exemptions:**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This four-page memorandum is from the Office of the Director of National Intelligence to two assistants to the President. The document is dated August 6, 2005 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1) and (b)(3). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

In addition, the memorandum considers options and recommendations by the CIA. The document is therefore also properly withheld in full pursuant to the deliberative process privilege.

This document reflects information or recommendations authored or solicited and received by the President's senior advisors in connection with a decision, or potential decision, to be made by the President. The document is therefore properly withheld in full pursuant to the presidential communications privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435

Judge's Initials: LAP

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0009**Date of Document:** February 17, 2005**Document Type:** Memo**Classification:** SCI, Secret**From/To:** From the CIA Inspector General to the Director of Central Intelligence**Subject:** Potential problem reporting**Document Pages:** 2**FOIA Exemptions:**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This is a two-page memorandum from the CIA Inspector General to the Director of Central Intelligence making a statutorily-required report. The memorandum contains facts and analysis and discuss the reporting obligations of the Inspector General and the Director of Central Intelligence. The document is dated February 17, 2005 and bears the classification SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3) and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause serious damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

The document is also exempt pursuant to exemption (b)(5) because the document comprises the analysis and recommendations of the Inspector General for consideration and action by the Director of Central Intelligence. It therefore reveals internal deliberations of government officials, which are properly withheld under the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0011**Date of Document:** May 30, 2005**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** DOJ/OLC to CIA/OGC**Subject:** Legal opinion**Document Pages:** 40**FOIA Exemptions:**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This 40-page document is a memorandum legal opinion from the Department of Justice Office of Legal Counsel to the CIA Senior Deputy General Counsel. The memorandum provides legal analysis and advice prepared at the request of, and based on facts provided by, the CIA. The document is dated May 30, 2005 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act.

The document is also exempt pursuant to exemption (b)(5). The legal opinion confidential legal advice and analysis prepared at the request of, and based upon facts provided by, the CIA, and is therefore withheld pursuant to the attorney-client communication privilege. In addition, the legal opinion was prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld pursuant to the attorney work product privilege. Moreover, the OLC legal opinion was requested in the course of internal governmental deliberations, and for the purpose of providing advice to decisionmakers with respect to a particular policy issue. The document is therefore withheld in full pursuant to the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC M/R 0013

Date of Document: May 10, 2005

Document Type: Memo

Classification: SCI, Top Secret

From/To: From DOJ/OLC to the CIA/OGC

Subject: Legal opinion

Document Pages: 46

FOIA Exemptions:

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This 46-page document is a memorandum legal opinion from the Department of Justice Office of Legal Counsel to the CIA Senior Deputy General Counsel. The memorandum provides legal analysis and advice prepared at the request of, and based on facts provided by, the CIA. The document is dated May 10, 2005 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act.

The document is also exempt pursuant to exemption (b)(5). The legal opinion contains confidential legal advice and analysis prepared at the request of, and based on, facts provided by the CIA, and is therefore withheld pursuant to the attorney-client communication privilege. In addition, the legal opinion was prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld pursuant to the attorney work product privilege. Moreover, the OLC legal opinion was requested in the course of internal governmental deliberations, and for the purpose of providing advice to decisionmakers with respect to a particular policy issue. The document is therefore withheld in full pursuant to the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

APR. 21. 2008 4:57PM

Case 1:07-cv-05435-LAP

Document 54-2

Filed 04/21/2008

NO. 2864 P. 5
Page 12 of 82

Judge's Initials : LAP

Amnesty International v . CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0015**Date of Document:** May 5, 2008**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** From DOJ/OLC to CIA/OGC**Subject:** Draft legal opinion**Document Pages:** 45**FOIA Exemptions :**

- ☒ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions :

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition :

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description : This 45-page document consists of two fax cover sheets, a cover sheet indicating the classification of the attached documents, and a classified draft legal opinion from the Department of Justice Office of Legal Counsel to the CIA Acting General Counsel. The legal opinion provides legal analysis and advice prepared at the request of, and based on facts provided by, the CIA. The document is dated May 5, 2006 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

The document is also exempt pursuant to exemption (b)(5). The legal opinion is a draft and contains confidential legal advice and analysis prepared at the request of, and based on facts provided by, the CIA. The document is therefore withheld pursuant to the attorney-client communication privilege. In addition, the legal opinion was prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld in full pursuant to the attorney work-product privilege. Finally, the legal opinion is marked "DRAFT" and therefore contains preliminary impressions, analysis, and recommendations as to what the final product should be. Moreover, the OLC legal opinion was requested in the course of internal governmental deliberations, and for the purpose of providing advice to decisionmakers with respect to a particular policy issue. The document is therefore also

properly withheld in full pursuant to the deliberative process privilege.

In addition, the cover sheets contained within the document are withheld in full pursuant to exemption (b)(2), as they represent documents solely created pursuant to internal administrative practices and consist of administrative and organizational information.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435

Judge's Initials: LAP

DOC 9

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0017**Date of Document:** April 26, 2006**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** From DOJ/OLC to CIA/OGC**Subject:** Draft legal opinion**Document Pages:** 26**FOIA Exemptions:**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This 26-page document consists of a fax cover sheet, a cover sheet indicating the classification of the attached documents, and a classified draft legal opinion from the Department of Justice Office of Legal Counsel to the CIA Acting General Counsel. The legal opinion provides legal analysis and advice prepared at the request of, and based on facts provided by, the CIA. The document is dated April 26, 2006 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

The document is also exempt pursuant to exemption (b)(5). The legal opinion is a draft and contains confidential legal advice and analysis prepared at the request of, and based on facts provided by, the CIA. The document is therefore withheld pursuant to the attorney-client communication privilege. In addition, the legal opinion was prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld in full pursuant to the attorney work-product privilege. Finally, the legal opinion is marked "DRAFT" and therefore contains preliminary impressions, analysis, and recommendations as to what the final product should be. In addition, the document contains advice regarding actions to be taken by other government agencies. Moreover, the OLC legal opinion was requested in the course of internal governmental deliberations, and for the purpose of providing

advice to decisionmakers with respect to a particular policy issue. The document is therefore also properly withheld in full pursuant to the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials : LAP

DOC 10

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0019**Date of Document:** April 17, 2006**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** From DOJ/OLC to CIA/OGC**Subject:** Draft legal opinion**Document Pages:** 36**FOIA Exemptions :**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions :

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition :

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description : This 36-page document consists of a fax cover sheet, a cover sheet indicating the classification of the attached documents, and a classified draft legal opinion from the Department of Justice Office of Legal Counsel to the CIA Acting General Counsel. The legal opinion provides legal analysis and advice prepared at the request of, and based on facts provided by, the CIA. The document is dated April 17, 2006 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

The document is also exempt pursuant to exemption (b)(5). The legal opinion is a draft and contains confidential legal advice and analysis prepared at the request of, and based on facts provided by, the CIA. The document is therefore withheld pursuant to the attorney-client communication privilege. In addition, the legal opinion was prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld in full pursuant to the attorney work-product privilege. Finally, the legal opinion is marked "DRAFT" and therefore contains preliminary impressions, analysis, and recommendations as to what the final product should be. Moreover, the OLC legal opinion was requested in the course of internal governmental deliberations, and for the purpose of providing advice to decisionmakers with respect to a particular policy issue. The document is therefore also

properly withheld in full pursuant to the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0021**Date of Document:** April 26, 2006**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** From DOJ/OLC to CIA/OGC**Subject:** Draft legal opinion**Document Pages:** 39**FOIA Exemptions:**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description:

Document Description: This 39-page document consists of a fax cover sheet, a cover sheet indicating the classification of the attached document, and a classified draft legal opinion from the Department of Justice Office of Legal Counsel to the CIA Acting General Counsel. The legal opinion provides legal analysis and advice prepared at the request of, and based on facts provided by, the CIA. The draft legal opinion is dated April 26, 2006 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

The document is also exempt pursuant to exemption (b)(5). The legal opinion is a draft and contains confidential legal advice and analysis prepared at the request of, and based on facts provided by, the CIA. The document is therefore withheld pursuant to the attorney-client communication privilege. In addition, the legal opinion was prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld in full pursuant to the attorney work-product privilege. Finally, the legal opinion is marked "DRAFT" and therefore contains preliminary impressions, analysis, and recommendations as to what the final product should be. Moreover, the OLC legal opinion was requested in the course of internal governmental deliberations, and for the purpose of providing

advice to decisionmakers with respect to a particular policy issue. The document is therefore also properly withheld in full pursuant to the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0023**Date of Document:** UNDATED**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** From DOJ/OLC to CIA/OGC**Subject:** Draft legal opinion**Document Pages:** 4**FOIA Exemptions:**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This 4-page memorandum is a classified draft legal opinion from the Department of Justice Office of Legal Counsel to the CIA Senior Deputy General Counsel. The legal opinion provides legal analysis and advice prepared at the request of, and based on facts provided by, the CIA. The memorandum is a draft dated January, 2006, has handwritten notes, and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

The document is also exempt pursuant to exemption (b)(5). The legal opinion is a draft and contains confidential legal advice and analysis prepared at the request of, and based on facts provided by, the CIA. The document is therefore withheld pursuant to the attorney-client communication privilege. In addition, the legal opinion was prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld in full pursuant to the attorney work-product privilege. Finally, the legal opinion is marked "DRAFT" and therefore contains preliminary impressions, analysis, and recommendations as to what the final product should be. The legal opinion contains handwritten notes revealing questions and edits to the opinion, thereby revealing internal deliberations of government officials. Moreover, the OLC legal opinion was requested in the course of internal

governmental deliberations, and for the purpose of providing advice to decisionmakers with respect to a particular policy issue. The document is therefore also properly withheld in full pursuant to the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC M/R 0025

Date of Document: May 5, 2006

Document Type: Memo

Classification: SCI, Top Secret

From/To: From DOJ/OLC to CIA/OGC

Subject: Draft legal opinion

Document Pages: 28

FOIA Exemptions:

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This 28-page document consists of two fax cover sheets, a cover sheet indicating the classification of the attached document, and a classified draft legal opinion from the Department of Justice Office of Legal Counsel to the CIA Acting General Counsel. The legal opinion provides legal analysis and advice prepared at the request of, and based on facts provided by, the CIA. The document is dated May 5, 2006 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

The document is also exempt pursuant to exemption (b)(5). The legal opinion is a draft and contains confidential legal advice and analysis prepared at the request of, and based on facts provided by, the CIA. The document is therefore withheld pursuant to the attorney-client communication privilege. In addition, the legal opinion was prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld in full pursuant to the attorney work-product privilege. Finally, the legal opinion is marked "DRAFT" and therefore contains preliminary impressions, analysis, and recommendations as to what the final product should be. The legal opinion contains handwritten notes revealing questions and edits to the opinion, thereby revealing internal deliberations of government officials. Moreover, the OLC legal opinion was requested in the course of internal

governmental deliberations, and for the purpose of providing advice to decisionmakers with respect to a particular policy issue. The document is therefore also properly withheld in full pursuant to the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0027**Date of Document:** April 19, 2005**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** From an assistant to the President to members of the executive branch**Subject:** Designations**Document Pages:** 23**FOIA Exemptions:**

- ☒ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This 23-page document consists of an internal CIA routing slip, a cover sheet indicating the classification of the attached memorandum, and a 21-page draft memorandum (including attachments) to senior members of the executive branch. The memorandum proposes designations according to written orders signed by the President. The document is dated April 19, 2005 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

The document is also exempt pursuant to exemption (b)(5). The memorandum is a draft, as indicated by the cover routing slip, which solicits comments and concurrence within the CIA. Because the memorandum is a draft, it contains preliminary impressions, analysis, and recommendations as to what the final product should be. The document is therefore also properly withheld in full pursuant to the deliberative process privilege.

This document reflects information or recommendations authored or solicited and received by the President's senior advisors in connection with a decision, or potential decision, to be made by the President. The document is therefore properly withheld in full pursuant to the presidential

communications privilege.

Finally, the routing slip contained within the document is withheld in full pursuant to exemption (b)(2) and (b)(3), as it was created solely pursuant to internal CIA administrative practices and consisting of administrative and organizational information.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0029**Date of Document:** April 11, 2007**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** From the CIA Office of Congressional Affairs to the Director of Central Intelligence**Subject:** Preparation for congressional hearing**Document Pages:** 28**FOIA Exemptions:**

- ☒ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☐ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This 28-page document consists of a one-page memorandum cover sheet from the Office of Congressional Affairs to the Director of Central Intelligence, a one-page internal CIA routing slip, and 26 pages of charts. The document provides information regarding prior congressional notifications and briefings. The document is dated April 11, 2007 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1) and (b)(3). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

Finally, the internal CIA routing slip contained within the document is withheld in full pursuant to exemption (b)(3) and (b)(2), as it was created solely pursuant to internal CIA administrative practices and consists of administrative and organizational information.

There is no meaningful, reasonably segregable portion of the document that can be released.

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0031**Date of Document:** May 30, 2005**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** From DOJ/OLC to CIA/OGC**Subject:** Legal opinion**Document Pages:** 42**FOIA Exemptions:**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This 42-page document consists of a fax cover sheet, one page indicating the classification of the attached document, and a memorandum legal opinion from the Department of Justice Office of Legal Counsel, to the CIA Office of General Counsel. The memorandum presents legal analysis in the context of facts provided by the CIA. The document is dated May 30, 2005 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947.

The document is also exempt pursuant to exemption (b)(5). The legal opinion contains legal analysis and advice in response to a request from the CIA and based upon facts provided by the CIA. The document is therefore withheld pursuant to the attorney-client privilege. In addition, the legal opinions were prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld pursuant to the attorney work product privilege. Moreover, the OLC legal opinion was requested in the course of internal governmental deliberations, and for the purpose of providing advice to decisionmakers with respect to a particular policy issue. The document is therefore also withheld in full pursuant to the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Judge's Initials : LAP

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0033**Date of Document:** September 13, 2004**Document Type:** MFR**Classification:** SCI, Top Secret**From/To:** Prepared by the Acting Director of Central Intelligence**Subject:** Policymaker approval**Document Pages:** 2**FOIA Exemptions:**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This two-page document is a memorandum for the record prepared by the Acting Director of Central Intelligence and is dated September 13, 2004. The memorandum discusses policy decisions made by members of the executive branch. The memorandum bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1) and (b)(3). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947.

Portions of this document are also exempt pursuant to exemption (b)(5). The memorandum discusses policy issues under consideration within the executive branch, and includes analysis and recommendations by high-level government officials. It therefore reveals internal deliberations of government officials, which are properly withheld under the deliberative process privilege.

This document reflects information or recommendations authored or solicited and received by the President's senior advisors in connection with a decision, or potential decision, to be made by the President. The document is therefore properly withheld in full pursuant to the presidential communications privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC M/R 0035

Date of Document: October 27, 2004

Document Type: Memo

Classification: SCI, Top Secret

From/To: From the CIA Inspector General to the Director of Central Intelligence

Subject: Reporting

Document Pages: 8

FOIA Exemptions:

- ☒ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This eight-page document consists of a two cover sheets indicating the classification of the attached documents, a one-page internal CIA routing slip, a two-page memorandum from the CIA inspector general to the Director of Central Intelligence, a two-page letter to the Department of Justice from the CIA Inspector General, and a one-page distribution slip. The memorandum and letter present facts and analysis regarding the Inspector General's review of a particular event. The document is dated October 27, 2004 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

The document is also exempt pursuant to exemption (b)(5). The memorandum and letter refer to legal analysis previously provided by the CIA Office of General Counsel, and that information is therefore withheld pursuant to the attorney-client privilege. In addition, the legal analysis was prepared by attorneys in the Office of General Counsel in contemplation of potential litigation and/or administrative proceedings, and is therefore withheld pursuant to the attorney work product privilege. In addition, the letter contains the thoughts, mental impressions, and analysis of DOJ attorneys prepared in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld in full pursuant to the attorney work-product privilege. The letter also reveals the internal deliberations of the executive branch

regarding certain matters. It is therefore withheld in full pursuant to the deliberative process privilege.

Moreover, this document refers to information pertaining to an ongoing criminal investigation by a federal law enforcement agency. As the information contained in the document is still the subject of a pending law enforcement investigation, and the release of this information could reasonably be expected to interfere with that investigation, that portion of the document is further withheld pursuant to exemption b(7)(a).

Finally, the distribution slip contained within the document is withheld in full pursuant to exemption (b)(2) and (b)(3), as it represents a document solely created pursuant to internal CIA administrative practices and consisting of administrative and organizational information.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0037**Date of Document:** September 27, 2004**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** From DOJ/OLC to CIA/OGC**Subject:** Draft legal opinion**Document Pages:** 32**FOIA Exemptions:**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description:

This 32-page document consists of a fax cover sheet and a classified draft legal opinion from the Department of Justice Office of Legal Counsel to the CIA Office of General Counsel. The legal opinion provides legal analysis and advice based on facts provided by the CIA. The document is dated September 27, 2004 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

The document is also exempt pursuant to exemption (b)(5). The legal opinion is a draft and contains legal analysis and advice in response to a request from the CIA and based upon facts provided by the CIA. The document is therefore withheld pursuant to the attorney-client communication privilege. In addition, the legal opinion was prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld in full pursuant to the attorney work-product privilege. Finally, the legal opinion is marked "DRAFT" and therefore contains preliminary impressions, analysis, and recommendations as to what the final product should be. Moreover, the OLC legal opinion was requested in the course of internal governmental deliberations, and for the purpose of providing

advice to decisionmakers with respect to a particular policy issue. The document is therefore also properly withheld in full pursuant to the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC M/R 0039

Date of Document: July 2, 2006

Document Type: Memo

Classification: SCI, Top Secret

From/To: Joint memorandum between CIA and Department of Defense

Subject: Memorandum of agreement

Document Pages: 8

FOIA Exemptions:

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This eight-page document consists of a cover sheet indicating the classification of the attached document and a draft seven-page memorandum of agreement between the CIA and the Department of Defense. The agreement outlines procedures to be used going forward in a specific context. The agreement provides facts, analysis and conclusions. The agreement is in draft indicating it was revised on July 2, 2006 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947.

The document is also exempt pursuant to exemption (b)(5). In addition, the memorandum is a draft and in several instances has italicized text indicating the need for additional information and that several issues were under discussion as of the time of the draft. Because the memorandum is a draft, it contains preliminary impressions, analysis, recommendations as to what the final product should be, and would reveal the internal deliberations of government officials. The document is therefore also properly withheld in full pursuant to the deliberative process privilege. Portions of the document also contain legal advice and analysis and are therefore withheld pursuant to the attorney-client privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Judge's Initials: LAP

DOC 21**Amnesty International v. CIA, et al.****FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0041**Date of Document:** September 15, 2004**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** From the Acting DCI to the Acting General Counsel and the DDO**Subject:** Inspector General report**Document Pages:** 2**FOIA Exemptions:**

- ☒ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☐ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This two-page document consists of a one-page memorandum from the Acting Director of Central Intelligence to the Acting General Counsel and the Deputy Director of Operations, and a one-page internal routing slip. The memorandum responds to a report from the CIA Inspector General. The internal routing slip also contains handwritten notations referring to the matter discussed in the memorandum. The document is dated September 15, 2004 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1) and (b)(3). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

Finally, the routing slip contained within the document is withheld in full pursuant to exemption (b)(2) and (b)(3), as it represents a document solely created pursuant to internal CIA administrative practices and consisting of administrative and organizational information.

There is no meaningful, reasonably segregable portion of the document that can be released.

DOC 22

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC M/R 0043

Date of Document: July 13, 2004

Document Type: MFR

Classification: SCI, Top Secret

From/To: Prepared by a senior Agency official

Subject: Congressional notification

Document Pages: 6

FOIA Exemptions:

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This six-page document consists of a three-page memorandum for the record and a three-page memorandum of briefing notes. Both documents concern a briefing to Congress on a particular set of issues. The document is dated July 13, 2004 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947.

This document is also exempt pursuant to exemption b(5). The briefing notes contain briefing materials prepared in anticipation of a hearing before Congress. This document also contains the recommendations, analyses, and assessments of senior Administration officials, and it was prepared to inform the deliberations of senior Administration officials. This document is protected by the deliberative process privilege and is properly withheld according to exemption b(5).

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC M/R 0045

Date of Document: February 4, 2003

Document Type: MFR

Classification: SCI, Top Secret

From/To: Prepared by the CIA Office of Congressional Affairs

Subject: Congressional briefing

Document Pages: 2

FOIA Exemptions:

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This document is a two-page memorandum for the record summarizing a briefing to Congress on a particular set of issues. The document is dated February 4, 2003 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947.

This document contain the recommendations, analyses, and assessments of senior Administration officials, and it was prepared to inform the deliberations of senior Administration officials. This document is protected by the deliberative process privilege and is properly withheld according to exemption b(5).

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0047**Date of Document:** August 18, 2006**Document Type:** MFR**Classification:** SCI, Top Secret**From/To:** From an assistant to the President to executive branch officials**Subject:** Memorandum for the Record regarding a meeting**Document Pages:** 11**FOIA Exemptions :**

- ☒ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions :

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition :

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description : This 11-page document consists of a one-page internal CIA routing slip, a fax cover sheet, a one-page cover sheet indicating the classification of the attached document, and an eight-page memorandum for the record. The memorandum for the record discusses a recent executive branch meeting at which a particular set of issues were discussed and decisions were made. The document is dated August 18, 2006 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1) and (b)(3). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

In addition, the internal CIA routing slip contained within the document is withheld in full pursuant to exemption (b)(2) and (b)(3), as it represents a document solely created pursuant to internal CIA administrative practices and consisting of administrative and organizational information.

Portions of this document are also exempt pursuant to exemption (b)(5). The memorandum discusses policy issues under consideration within the executive branch, and includes analysis and recommendations by high-level government officials. It therefore reveals internal deliberations of government officials, which are properly withheld under the deliberative process privilege.

This document reflects information or recommendations authored or solicited and received by the President's senior advisors in connection with a decision, or potential decision, to be made by the President. The document is therefore properly withheld in full pursuant to the presidential communications privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

DOC 25**Amnesty International v. CIA, et al.****FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0049**Date of Document:** November 13, 2004**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** From DOJ/OLC to CIA/OGC**Subject:** Draft legal opinion**Document Pages:** 46**FOIA Exemptions:**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This 46-page document is a classified draft legal opinion from the Department of Justice Office of Legal Counsel to the CIA Office of General Counsel. The legal opinion provides legal analysis and advice prepared at the request of, and based on facts provided by, the CIA. The document is dated November 13, 2004 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947.

The document is also exempt pursuant to exemption (b)(5). The legal opinion is a draft and contains legal analysis and advice in response to a request from the CIA and based upon facts provided by the CIA. The document is therefore withheld pursuant to the attorney-client communication privilege. In addition, the legal opinion was prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld in full pursuant to the attorney work-product privilege. Finally, the legal opinion is marked "DRAFT" and therefore contains preliminary impressions, analysis, and recommendations as to what the final product should be. In addition, the document contains advice regarding actions to be taken by other government agencies. Moreover, the OLC legal opinion was requested in the course of internal governmental deliberations, and for the purpose of providing advice to decisionmakers with respect to a particular policy issue. The document is therefore also properly withheld in full pursuant to the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number : 07-cv-5435
Judge's Initials : LAP

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0051**Date of Document:** November 21, 2006**Document Type:** Memo**Classification:** Secret**From/To:** From the CIA Associate Deputy Director to the directors and heads of other CIA directorates and offices**Subject:** Accountability board**Document Pages:** 3**FOIA Exemptions:**

- ☒ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☐ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This document consists of a two-page memorandum from the CIA Associate Deputy Director to the directors and heads of several CIA directorates and offices, and a one-page internal distribution slip. The document is dated November 21, 2006 and bears the classification SECRET.

The document is withheld in its entirety based on FOIA exemptions (b)(1) and (b)(3). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause serious damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

Finally, the internal CIA routing slip contained within the document is withheld in full pursuant to exemption (b)(2) and (b)(3), as it represents a document solely created pursuant to internal CIA administrative practices and consisting of administrative and organizational information.

There is no meaningful, reasonably segregable portion of the document that can be released.

Judge's Initials : LAP

DOC 27

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC M/R 0053

Date of Document: November 1, 2006

Document Type: Memo

Classification: SCI, Top Secret

From/To: From CIA/OGC to CIA/OIG

Subject: Policy update

Document Pages: 2

FOIA Exemptions:

- ☒ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☐ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This document consists of a one-page memorandum from an attorney in the Office of General Counsel to the Inspector General and a one-page internal distribution slip. The document is dated November 1, 2006 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1) and (b)(3). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

Finally, the internal CIA routing slip contained within the document is withheld in full pursuant to exemption (b)(2) and (b)(3), as it represents a document solely created pursuant to internal CIA administrative practices and consisting of administrative and organizational information.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0055**Date of Document:** October 27, 2006**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** From the CIA Counterterrorism Center to the Director of CIA**Subject:** Updated policy**Document Pages:** 14**FOIA Exemptions:**

- ☒ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This document consists of two one-page routing slips, one page containing photocopied handwritten notes, a ten-page memorandum, and a one-page internal distribution sheet. The memorandum and handwritten notes concern an updated policy. The document is dated October 27, 2006 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1) and (b)(3). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Agency Act of 1949.

Portions of the document are also exempt pursuant to exemption (b)(5). Those portions of the document contain legal advice and analysis and are therefore withheld pursuant to the attorney-client privilege.

Finally, the internal CIA routing and distribution slips contained within the document are withheld in full pursuant to exemption (b)(2) and (b)(3), as they represent documents solely created pursuant to internal CIA administrative practices and consisting of administrative and organizational information.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials : LAP

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC M/R 0057

Date of Document: July 29, 2004

Document Type: MFR

Classification: SCI, Top Secret

From/To: Prepared by the CIA General Counsel

Subject: Policymaker meeting

Document Pages: 3

FOIA Exemptions:

- ☒ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This three-page document consists of a one-page internal distribution slip and a two-page memorandum for the record prepared by the CIA General Counsel. The memorandum discusses policy decisions made by members of the executive branch. The memorandum is dated July 29, 2004 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(2), and (b)(3). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947.

The document is also exempt pursuant to exemption (b)(5). The document contains legal advice and analysis and is therefore withheld pursuant to the attorney-client privilege.

This document reflects information or recommendations authored or solicited and received by the President's senior advisors in connection with a decision, or potential decision, to be made by the President. The document is therefore properly withheld in full pursuant to the presidential communications privilege.

The internal CIA distribution slip contained within the document is withheld in full pursuant to exemption (b)(2) and (b)(3), as it represents a document solely created pursuant to internal CIA administrative practices and consisting of administrative and organizational information.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

DOC 30

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC M/R 0059**Date of Document:** December 12, 2004**Document Type:** Memo**Classification:** SCI, Top Secret**From/To:** From DOJ/OLC to CIA/OGC**Subject:** Draft legal opinion**Document Pages:** 47**FOIA Exemptions:**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This document is a 47-page draft legal opinion from the Department of Justice Office of Legal Counsel to the CIA Office of General Counsel. The legal opinion provides legal analysis and advice based on facts provided by the CIA. The document is dated December 12, 2004 and bears the classification TOP SECRET//SCI.

The document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947.

The document is also exempt pursuant to exemption (b)(5). The legal opinion is a draft and contains legal analysis and advice in response to a request from the CIA and based upon facts provided by the CIA. The document is therefore withheld pursuant to the attorney-client communication privilege. In addition, the legal opinion was prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld in full pursuant to the attorney work-product privilege. Finally, the legal opinion is marked "DRAFT" and therefore contains preliminary impressions, analysis, and recommendations as to what the final product should be. In addition, the document contains advice regarding actions to be taken by other government agencies. Moreover, the OLC legal opinion was requested in the course of internal governmental deliberations, and for the purpose of providing advice to decisionmakers with respect to a particular policy issue. The document is therefore also properly withheld in full pursuant to the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC E 0001**Date of Document:** 11/28/2006**Document Type:** E-mail**Classification:** Unclassified**From/To:** NSC to CIA Employee**Subject:** Public Briefing before Senate Committee**Document Pages:** 3**FOIA Exemptions:**

- ☐ (b) (1)
☒ (b) (2)
☒ (b) (3)
☐ (b) (4)
☐ (b) (5)
☐ (b) (6)
☐ (b) (7) (c)
☐ (b) (7) (d)
☐ (b) (7) (e)
☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
☐ (j) (1)
☐ (j) (2)
☐ (k) (1)
☐ (k) (2)
☐ (k) (5)

Disposition:

- ☐ Denied in Full
☒ Partial Release
☐ Released in Full
☐ Referred to Third Agency

Document Description: This three-page document consists of a forwarded email from a member of the staff of the National Security Council to a CIA employee. The document is dated November 28, 2006. Portions of this document are withheld pursuant to FOIA exemptions b(2), b(3).

Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

The other information, which consists solely of the internal email addresses of government employees, consists of internal administrative information. This information is withheld pursuant to FOIA exemption b(2).

All meaningful, reasonably segregable portions of the document have been released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC E 0004

Date of Document: January 14, 2005

Document Type: Note

Classification: SCI, Top Secret

From/To: From a CIA officer to a CIA/OGC attorney

Subject:

Document Pages: 4

FOIA Exemptions:

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This document is a four-page email train concerning a recent meeting. The document is dated January 14, 2005 and bears the classification TOP SECRET//SCI.

This document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5).

The document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

The document is exempt in its entirety pursuant to exemption (b)(5). The document discusses policy issues under consideration within the executive branch, and includes analysis and recommendations by multiple parties. It therefore reveals internal deliberations of government officials, which are properly withheld under the deliberative process privilege. In addition, the document was prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld in full pursuant to the attorney work-product privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC E 0007

Date of Document: September 19, 2004

Document Type: Note

Classification: SCI, Top Secret

From/To: From a CIA/OGC attorney to CIA officers and attorneys

Subject: Draft memorandum

Document Pages: 4

FOIA Exemptions:

- ☒ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This document consists of a one-page email, a two-page attached draft memorandum, and a one-page distribution slip. The document is dated September 19, 2004 and bears the classification TOP SECRET//SCI.

This document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(2), (b)(3), and (b)(5).

The document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

The email and memorandum within the document are exempt pursuant to exemption (b)(5). The email and memorandum discuss policy issues under consideration within the executive branch, and includes analysis and recommendations from the CIA. It therefore reveals internal deliberations of government officials, which are properly withheld under the deliberative process privilege. The document also contains legal analysis, advice, and conclusions based upon facts contained within the document. The document is therefore withheld pursuant to the attorney-client communication privilege. In addition, the document was prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld in full pursuant to the attorney work-product privilege.

Finally, the distribution slip contained within the document is withheld in full pursuant to exemption (b)(2) and (b)(3), as it represents a document solely created pursuant to internal CIA administrative practices and consisting of administrative and organizational information.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

DOC 34

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC E 0010**Date of Document:** September 7, 2004**Document Type:** Note**Classification:** Secret**From/To:** From a CIA/OGC attorney to other CIA/OGC attorneys**Subject:****Document Pages:** 1**FOIA Exemptions:**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This document is a one-page email concerning a particular issue. The document is dated September 7, 2004 and bears the classification SECRET.

This document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5).

The document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause serious damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

The document is exempt in its entirety pursuant to exemption (b)(5). The email discusses an issue under consideration within the executive branch, and includes analysis and recommendations by the CIA. It therefore reveals internal deliberations of government officials, which are properly withheld under the deliberative process privilege. In addition, the email contains legal analysis, advice, and conclusions based upon facts contained within the document. It is therefore withheld pursuant to the attorney-client communication privilege. In addition, the document reflects discussions of attorneys regarding a pending criminal litigation, and the document is therefore withheld in full pursuant to the attorney work-product privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC E 0013

Date of Document: September 2, 2004

Document Type: Note

Classification: SCI, Top Secret

From/To: From a CIA/OGC attorney to other CIA attorneys and officers

Subject:

Document Pages: 2

FOIA Exemptions :

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions :

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition :

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description : This document is a two-page email train concerning a particular issue. The document is dated September 2, 2004 and bears the classification TOP SECRET//SCI.

This document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5).

The document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

The document is exempt in its entirety pursuant to exemption (b)(5). The email discusses policy issues under consideration within the executive branch, and includes analysis and recommendations by multiple parties. It therefore reveals internal deliberations of government officials, which are properly withheld under the deliberative process privilege. In addition, the email contains legal analysis, advice, and conclusions based upon facts contained within the document. It is therefore withheld pursuant to the attorney-client communication privilege. In addition, the document was prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld in full pursuant to the attorney work-product privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435

Judge's Initials: LAP

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC E 0016**Date of Document:** April 17, 2005**Document Type:** Note**Classification:** Secret**From/To:** From a CIA/OGC attorney to other CIA attorneys and officers**Subject:** Revised draft**Document Pages:** 8**FOIA Exemptions:**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This document consists of a two-page email train and a six-page attached draft document. The document is dated April 17, 2005 and bears the classification SECRET.

This document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5).

The document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause serious damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

The document is also exempt pursuant to exemption (b)(5). The email and draft document discuss policy issues under consideration within the executive branch, and includes analysis and recommendations. In addition, the document is in draft form and contains several questions and comments within the draft. The email solicits comments on the draft. The document as a whole therefore reveals internal deliberations of government officials, which are properly withheld under the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

DOC 37

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC E 0019**Date of Document:** March 30, 2005**Document Type:****Classification:** Top Secret**From/To:** From a senior CIA official to other CIA officials and attorneys**Subject:****Document Pages:** 4**FOIA Exemptions:**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This document consists of a one-page email and a three-page attached chart. The document is dated March 30, 2005 and bears the classification TOP SECRET.

This document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5).

The document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

The document is also exempt pursuant to exemption (b)(5). The email and chart discuss policy issues under consideration within the executive branch, and includes analysis and recommendations. In addition, the email solicits comments on the attached chart. The document as a whole therefore reveals internal deliberations of government officials, which are properly withheld under the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC E 0022

Date of Document: March 7, 2005

Document Type: Note

Classification: SCI, Top Secret

From/To: From a CIA/OGC attorney to other CIA/OGC attorneys and officers

Subject: Congressional briefing

Document Pages: 1

FOIA Exemptions:

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☐ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This document is a one-page email concerning a congressional briefing. The document is dated March 7, 2005 and bears the classification TOP SECRET//SCI.

This document is withheld in its entirety based on FOIA exemptions (b)(1) and (b)(3).

The document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

DOC 39

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC E 0025

Date of Document: March 2, 2005

Document Type: Note

Classification: SCI, Top Secret

From/To: From a CIA/OGC attorney to other CIA officers and attorneys

Subject:

Document Pages: 2

FOIA Exemptions:

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☐ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This document is a two-page email concerning a particular issue. The document is dated March 2, 2005 and bears the classification TOP SECRET//SCI.

This document is withheld in its entirety based on FOIA exemptions (b)(1) and (b)(3).

The document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435

Judge's Initials: LAP

DOC 40

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC E 0028

Date of Document: February 14, 2005

Document Type:

Classification: SCI, Top Secret

From/To: From a CIA/OGC attorney to other CIA officers and attorneys

Subject: Draft paper

Document Pages: 11

FOIA Exemptions:

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This 11-page document consists of a one-page email and a 10-page draft paper attached to the email. The draft paper contains policy proposals on a particular issue and the email solicits comments on the draft. The document is dated February 14, 2005 and bears the classification TOP SECRET//SCI.

This document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5).

The document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

The document is also exempt pursuant to exemption (b)(5). The email and draft paper discuss policy issues under consideration within the executive branch, and includes analysis and recommendations. In addition, the email solicits comments on the attached draft paper. The document as a whole therefore reveals internal deliberations of government officials, which are properly withheld under the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

DOC 41

Amnesty International v . CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC E 0031**Date of Document:** February 10, 2005**Document Type:****Classification:** SCI, Secret**From/To:** From a CIA/OGC attorney to other CIA officers and attorneys**Subject:****Document Pages:** 5**FOIA Exemptions:**

- ☒ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This five-page document consists of an email forwarding a draft cable concerning a particular issue. The document is dated February 10, 2005 and bears the classification SECRET//SCI.

This document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(2), (b)(3), and (b)(5).

The document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause serious damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

The document is also exempt pursuant to exemption (b)(5). The email and cable discuss particular situation and policy issues under consideration within the executive branch, and includes analysis and recommendations. In addition, the email solicits comments on the attached cable. The document as a whole therefore reveals internal deliberations of government officials, which are properly withheld under the deliberative process privilege. In addition, the document contains legal analysis, advice, and conclusions based upon facts provided in the document. The memorandum is therefore withheld pursuant to the attorney-client communication privilege.

Finally, the draft cable contains internal distribution information such as filing identifiers, routing codes, handling instructions, origination markings, and other internal administrative information which is protected from disclosure by exemption (b)(2).

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

DOC 42

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC E 0034

Date of Document: February 7, 2005

Document Type: Note

Classification: Unclassified

From/To: From a CIA/OGC attorney to other CIA/OGC attorneys

Subject: Draft paper

Document Pages: 1

FOIA Exemptions :

- ☐ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions :

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition :

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description : This document is a one-page email concerning a draft policy paper. The email discusses the timeline for circulating and finalizing the draft and the several parties involved in the review process. The document is dated February 7, 2005 and is marked UNCLASSIFIED//FOUO.

This document is withheld in its entirety based on FOIA exemptions (b)(2), (b)(3), and (b)(5).

Portions of this document discuss internal scheduling, meetings, and deadlines. This information consists solely of internal administrative information which is protected from disclosure by exemption b(2).

Information within the document is exempt from disclosure by exemption (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949, which applies to CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components.

The document is also exempt in its entirety pursuant to exemption (b)(5). The email discuss a policy issue under consideration within the executive branch, and outlines the several parties involved in the review process. This information therefore reveals internal deliberations of government officials, which are properly withheld under the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435

Judge's Initials : LAP

DOC 43

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC E 0037

Date of Document: January 11, 2005

Document Type:

Classification: SCI, Top Secret

From/To: From a CIA/OGC attorney to other CIA officers and attorneys

Subject:

Document Pages: 7

FOIA Exemptions :

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions :

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition :

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description : This seven-page document consists of an email train with two attachments containing different versions of a draft document. The attachments, and the emails, concern a particular policy issue, propose strategies, and identify the benefits and problems of the proposed strategies. The document is dated January 11, 2005 and bears the classification TOP SECRET//SCI.

This document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5).

The document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

The document is also exempt pursuant to exemption (b)(5). The emails and draft document discuss policy issues under consideration within the executive branch, and includes analysis and recommendations. In addition, the emails solicits comments on the attached document. The document as a whole therefore reveals internal deliberations of government officials, which are properly withheld under the deliberative process privilege. The document also contains legal analysis, advice, and conclusions prepared by CIA attorneys, and is therefore withheld pursuant to the attorney-client privilege. In addition, the legal analysis was prepared by attorneys in contemplation of potential litigation and/or administrative proceedings, and is therefore withheld pursuant to the attorney work product privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

DOC 44

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC E 0040

Date of Document: January 28, 2005

Document Type:

Classification: SCI, Top Secret

From/To: From a CIA/OGC attorney to other CIA/OGC attorneys

Subject:

Document Pages: 1

FOIA Exemptions:

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This document is a one-page email train concerning a particular issue. The document is dated January 28, 2005 and bears the classification TOP SECRET//SCI.

This document is withheld in its entirety based on FOIA exemptions (b)(1) and (b)(3).

The document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

In addition, the document contains legal advice and analysis and is therefore withheld pursuant to the attorney-client privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

DOC 45

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC E 0043

Date of Document: February 2, 2005

Document Type: E-mail

Classification: SCI, Top Secret

From/To: From a CIA/OGC attorney to other CIA/OGC attorneys

Subject:

Document Pages: 2

FOIA Exemptions:

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This document is a two-page email train concerning a particular issue. The document is dated February 2, 2005 and bears the classification TOP SECRET//SCI.

This document is withheld in its entirety based on FOIA exemptions (b)(1) and (b)(3).

The document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

The document is also exempt pursuant to exemption (b)(5). The document reveals internal CIA discussions and deliberations of how to proceed on a particular issue. The document is therefore properly withheld in full pursuant to the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v . CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC E 0046**Date of Document:** December 22, 2006**Document Type:** E-mail**Classification:** Secret**From/To:** From a CIA/OGC attorney to other CIA/OGC attorneys**Subject:** Draft report**Document Pages:** 3**FOIA Exemptions:**

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This document is a three-page email train that discusses a draft report. The first email contains excerpts of the report and asks for input on specific issues. The second email is among CIA attorneys and discusses the procedure for developing input. The document is dated December 22, 2006 and bears the classification SECRET.

The document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause serious damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. In addition, information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

In addition, the document discusses actions to be taken within the CIA in response to the draft report. Those portions of the document are therefore also properly withheld pursuant to the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

DOC 47

Amnesty International v. CIA, et al.

FOIA/PA Request No.: F-05-00498, F-06-01014, F-06-00994

Document Number: OGC E 0049

Date of Document: February 2, 2006

Document Type: E-mail

Classification: SCI, Top Secret

From/To: From a CIA/OGC attorney to other CIA officers and attorneys

Subject: Meeting summary

Document Pages: 2

FOIA Exemptions:

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This document is a two-page email train summarizing a recent meeting. The document is dated February 2, 2005 and bears the classification TOP SECRET//SCI.

This document is withheld in its entirety based on FOIA exemptions (b)(1), (b)(3), and (b)(5).

The document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure by exemption (b)(1) because it would reveal intelligence sources and methods, as well as foreign activities of the United States government, whose disclosure reasonably could be expected to cause exceptionally grave damage to the national security.

The document is also exempt from disclosure by exemption (b)(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. Information about CIA official titles, internal organizational data, names, employee numbers, employee telephone numbers, functions, and titles or other organizational identifiers of CIA components is also withheld under (b)(3) pursuant to Section 6 of the Central Intelligence Act of 1949.

The document is also exempt in its entirety pursuant to exemption (b)(5). The email discusses a policy issue under consideration within the executive branch, and outlines the recommendations and proposals of the meeting participants. This information therefore reveals internal deliberations of government officials, which are properly withheld under the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

DOC 48

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC C 0001**Date of Document:** November 17, 2006**Document Type:** Cable**Classification:** SCI, Secret**From/To:** From Field to HQ**Subject:** Meeting summary**Document Pages:** 4**FOIA Exemptions:**

- ☒ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This 4-page document is a National Clandestine Service ("NCS") cable sent from the field to CIA Headquarters, dated November 17, 2006, and it bears the classification mark SECRET//SCI. This cable consists of a half page of distribution information and three pages of text. This document is withheld in full based on exemptions b(1), b(2), and b(3)

The distribution information is withheld on the basis of exemptions b(1), b(2), and b(3). The first and last pages contain internal distribution information such as filing identifiers, routing codes, handling instructions, origination markings, and other internal administrative information which is protected from disclosure by exemption b(2). In addition, some of these codes would disclose information such as internal organizational data, the location of CIA facilities overseas, and other information that is properly withheld under exemptions b(1) and b(3), as described more fully below.

The entire document, including some of the administrative information described above, is also withheld on the basis of exemption b(1). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure because it would tend to reveal intelligence activities and methods, as well as foreign relations and foreign activities of the United States Government. Disclosure of this information would reasonably be expected to cause serious damage to the national security. In particular, the document tends to reveal certain intelligence methods and activities. The document also reveals CIA cryptonyms and foreign activities of the CIA. Disclosure of this information would reveal information that is currently and properly classified.

For similar reasons, this document is exempt from disclosure under exemption b(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. In addition, this document contains information about CIA official titles, internal organizational data, functions, and names that are properly withheld under exemption b(3), pursuant to section 6 of the Central Intelligence Agency Act of 1949.

In addition, the cable includes policy options, analysis, and recommendations of field officers to

headquarters regarding specific policies. The document is therefore also properly withheld in full pursuant to the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC C 0002**Date of Document:** August 3, 2004**Document Type:** Cable**Classification:** Top Secret**From/To:** From HQ to Field**Subject:** Intelligence Operations**Document Pages:** 3**FOIA Exemptions:**

- ☒ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This 3-page document is a NCS cable, dated August 3, 2004, and it bears the classification mark TOP SECRET. This cable consists of a half page of distribution information and two pages of text. This document is withheld in full based on exemptions b(1), b(2), b(3), and b(5).

The distribution information is withheld on the basis of exemptions b(1), b(2), and b(3). The first and last pages contain internal distribution information such as filing identifiers, routing codes, handling instructions, origination markings, and other internal administrative information which is protected from disclosure by exemption b(2). In addition, some of these codes would disclose information such as internal organizational data and other information that is properly withheld under exemptions b(1) and b(3), as described more fully below.

The entire document, including some of the administrative information described above, is also withheld on the basis of exemption b(1). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure because it would tend to reveal intelligence activities and methods, as well as foreign relations and foreign activities of the United States Government. Disclosure of this information would reasonably be expected to cause exceptionally grave damage to the national security. In particular, the document tends to reveal certain intelligence methods and activities. The document also reveals CIA cryptonyms and foreign activities of the CIA. Disclosure of this information would reveal information that is currently and properly classified.

For similar reasons, this document is exempt from disclosure under exemption b(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. In addition, this document contains information about CIA official titles, internal organizational data, functions, and names that are properly withheld under exemption b(3), pursuant to section 6 of the Central Intelligence Agency Act of 1949.

Finally, the document is also exempt pursuant to exemption (b)(5). The cable contains

confidential legal advice and analysis provided to the CIA by DOJ attorneys based on facts provided to DOJ by CIA, and is therefore withheld in part pursuant to the attorney-client privilege. In addition, the legal advice contained in the cable was provided by attorneys in contemplation of potential litigation and/or administrative proceedings, and the document is therefore withheld pursuant to the attorney work product privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP

DOC 50

Amnesty International v. CIA, et al.**FOIA/PA Request No.:** F-05-00498, F-06-01014, F-06-00994**Document Number:** OGC C 0003**Date of Document:** August 2, 2004**Document Type:** Cable**Classification:** Top Secret**From/To:** From Field to HQ**Subject:** Intelligence Operations**Document Pages:** 3**FOIA Exemptions:**

- ☒ (b) (1)
- ☒ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☐ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☒ Denied in Full
- ☐ Partial Release
- ☐ Released in Full
- ☐ Referred to Third Agency

Document Description: This 3-page document is a NCS cable, dated August 2, 2004, and it bears the classification mark TOP SECRET. This cable consists of a half page of distribution information and two pages of text. This document is withheld in full based on exemptions b(1), b(2), and b(3)

The distribution information is withheld on the basis of exemptions b(1), b(2), and b(3). The first and last pages contain internal distribution information such as filing identifiers, routing codes, handling instructions, origination markings, and other internal administrative information which is protected from disclosure by exemption b(2). In addition, some of these codes would disclose information such as internal organizational data and other information that is properly withheld under exemptions b(1) and b(3), as described more fully below.

The entire document, including some of the administrative information described above, is also withheld on the basis of exemption b(1). This document contains information that has been classified in accordance with Sections 1.4(c) and (d) of Executive Order 12958, and is protected from disclosure because it would tend to reveal intelligence activities and methods, as well as foreign relations and foreign activities of the United States Government. Disclosure of this information would reasonably be expected to cause exceptionally grave damage to the national security. In particular, the document tends to reveal certain intelligence methods and activities. The document also reveals CIA cryptonyms and foreign activities of the CIA. Disclosure of this information would reveal information that is currently and properly classified.

For similar reasons, this document is exempt from disclosure under exemption b(3) pursuant to Section 102A(i)(1) of the National Security Act of 1947. In addition, this document contains information about CIA official titles, internal organizational data, functions, and names that are properly withheld under exemption b(3), pursuant to section 6 of the Central Intelligence Agency Act of 1949.

In addition, the cable includes policy options, analysis, and recommendations of field officers

regarding specific policies. The document is therefore also properly withheld in full pursuant to the deliberative process privilege.

There is no meaningful, reasonably segregable portion of the document that can be released.

Case Number: 07-cv-5435
Judge's Initials: LAP